



State of Utah

DEPARTMENT OF COMMERCE
Committee of Consumer Services

Minutes of the Meeting of the Committee of Consumer Services Held
in Room 4A of the Heber M Wells Building, Salt Lake City, on 13 January 2004.

Dee Jay Hammon called the meeting to order at 9:35am in Room 4A.

Members of the Committee in Attendance:

Ryan Atkinson	Kent Bateman	Dee Jay Hammon
Betsy Wolf		

Members of the Committee in Attendance via phone:

Franz Amussen	Kelly Casaday
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Staff in Attendance:

Roger Ball	Kelly Francone	Dan Gimble
Leah Lindstrom	Cheryl Murray	Eric Orton
Reed Warnick		

Members of the Public in Attendance:

Chris Keyser	Dave Anderton
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1 Closed Meeting

Kent Bateman proposed that the Committee go into closed session to discuss pending or reasonably imminent litigation. Ryan Atkinson seconded the proposal and it passed unanimously.

Kent Bateman proposed that the Committee return to open session. Ryan Atkinson seconded the proposal, and it passed unanimously.

2 Motions on Matters Discussed in Closed Meeting

Betsy Wolf proposed that, in the Questar CO₂ Case, the Committee petition the Supreme Court for extraordinary relief.

Kelly Casaday seconded the motion, which passed unanimously.

3 Closed Meeting

Franz Amussen and Kelly Casaday left at different points during this closed segment of the meeting.

Ryan Atkinson proposed that the Committee return to closed session to discuss further pending or reasonably imminent litigation. Betsy Wolf seconded the proposal and it passed unanimously.

Betsy Wolf proposed that the Committee return to open session. Ryan Atkinson seconded the proposal, and it passed unanimously.

4 Motions on Matters Discussed in Closed Meeting

Kent Bateman proposed that the Committee of Consumer Services approve the Cost of Service Rate Spread and Rate Design Stipulation in the PacifiCorp Rate Case as outlined by Dan Gimble during the closed meeting.

Betsy Wolf seconded the motion, which passed unanimously.

5 Closed Meeting

Ryan Atkinson proposed that the Committee once again return to closed session to discuss further pending or reasonably imminent litigation. Kent Bateman seconded the proposal and it passed unanimously.

Kent Bateman proposed that the Committee return to open session. Ryan Atkinson seconded the proposal, and it passed unanimously.

6 Motions on Matters Discussed in Closed Meeting

The Committee took no further action on matters discussed in closed meeting.

7 Administrative Matters

7.1 Welcome and Apologies for Absence

Roger Ball extended apologies for Oliwia Smith, who is attending classes on Tuesday and Thursday mornings.

7.2 Minutes of Previous Meetings

Kent Bateman proposed that the minutes of the 2 December 2003 meeting be approved. Ryan Atkinson seconded the proposal, which passed unanimously.

7.2.1 Further Consideration of a New Contract

Betsy Wolf proposed that:

the Committee of Consumer Services approve the allocation of \$15,000 for a new contract with Resource Insight Inc for expert assistance, advice, and testimony in the field of renewable energy.

Kent Bateman seconded the proposal, and it passed unanimously.

7.3 Dates and Locations of Next Meetings

Tuesdays, 9 March and 13 April were scheduled for the next meetings of the Committee, both at 9:30am until 2:30pm, in Room 4A of the Heber M Wells Building.

7.4 Professional & Technical Budget Review

Roger Ball presented a summary of the Committee's Professional & Technical Budget as at 18 December 2003.

8 Telecom

8.1 Pricing Flexibility

Reed Warnick reported that, on 22 December, the Commission granted the Committee's Petition for Reconsideration, declaring that it would outline the form of that reconsideration subsequently.

8.2 Triennial Review Order - Consideration of a New Contract

Kent Bateman proposed that:

the Committee of Consumer Services approve the allocation of \$58,710 for a new contract with Susan M. Baldwin to assist it in the Triennial Review process.

Ryan Atkinson seconded the proposal, and it passed unanimously.

8.3 UTOPIA

Roger Ball outlined UTOPIA's intent to build optical fiber infrastructure in a number of Utah Cities, and then to rent out bandwidth to third party service providers that would otherwise incur high capital costs to build their own networks.

Roger asked the Committee to consider taking a position on this subject.

9 Gas

9.1 1999 Test Year Rate Case – Supreme Court CO₂ Order

Reed Warnick said that the Commission had decided to reopen proceedings so that it could

make the prudence analysis it had earlier declared was impossible to make. The committee had discussed this earlier in closed session, and then decided in open meeting to petition the Supreme Court for extraordinary relief.

10 Electric

10.1 2003 Test Year Rate Case

Cheryl said that, during a closed session earlier in the meeting, the Committee had received a detailed presentation of a proposed agreement to settle the cost of service phase of the rate case. The Committee had then decided in open meeting to support the stipulation.

10.2 Consideration of a New Contract

Betsy Wolf proposed that:

the Committee of Consumer Services approve the allocation of \$100,230 for a new contract with Nancy Kelly to continue her work for the Committee in electricity industry restructuring and related matters.

Kent Bateman seconded the proposal, and it passed unanimously.

10.3 Currant Creek Power Project

Cheryl gave an update on the Currant Creek Power Project.

11 2004 Legislative General Session

Kelly presented an overview of those bills that had been published so far and a list of bill requests, that were or might be of interest to the Committee. An additional bill, entitled Providing Telecommunications Service, had recently been requested.

11.1 Proposed Legislation – 911 Fees

Roger updated the Committee on the 911 Bill.

11.2 Appropriations

Roger answered questions regarding the Governor's Budget Proposal.

12 Other Business

Dan informed the Committee that natural gas prices are going up.

Kelly thanked Roger for his professional representation of the Committee to the public in the Utah Power Outage Case.

Roger reminded Committee members that with the Legislative General Session starting on 19 January, tentative dates have been set for weekly meetings during the Session if needed.

Ryan Atkinson proposed that the Committee adjourn, and the meeting ended at 12:35pm.

